

Probate Notes for May 6, 2020

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please Note: The following probate matters will be heard at **9:00 a.m.** in **Department Ten**.

CASE: Estate of Jones
Case No. CV PB 15-198

It is recommended to grant the petition to release funds from blocked account for creditors and claimants. (Prob. Code, § 11600.)

CASE: Matter of Schmauderer Trust
Case No. CV P2 18-139

It is recommended to deny the petitioner's petition to compel accounting, to redress breach of trust and for surcharge, for removal of trustee and suspension of powers of trustee, for recovery of trust property, and for recovery of double damages and attorneys' fees. The trust terminated by operation of law when the parties distributed the entirety of the trust estate between themselves and terminated the trust pursuant to their Agreement for Division and Distribution of Trust Assets. (Prob. Code, § 15407, subd. (a)(2); see *Ball v. Mann* (1948) 88 Cal.App.2d 695, 699.)